

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

PARENTS DEFENDING
EDUCATION,

Plaintiff,

v.

OLENTANGY LOCAL SCHOOL
DISTRICT BOARD OF EDUCATION,
et al.,

Defendants.

Case No. 2:23-cv-01595

DECLARATION OF PARENT D

1. I live within the boundaries of the Olentangy Local School District (“Olentangy”) and am the parent of a school-aged child.

2. I am over the age of eighteen and under no mental disability or impairment. I have personal knowledge of the following facts and, if called as a witness, would competently testify to them.

3. I am a member of Parents Defending Education.

4. I have two children that attend and are enrolled in Olentangy high schools. Both of my children will be attending an Olentangy high school next year.

5. My two high-school-aged children are also members of Parents Defending Education.

6. I believe that people are either male or female and that a person cannot “transition” from one sex to another. I acknowledge that gender dysphoria exists but that it is historically a rare condition. I believe there is a difference between gender dysphoria and a

child's confusion about their gender, which can lead a child to adopt a different name, pronouns, clothing, and so forth. I also believe that confusion about gender can be a part of adolescence and that it does not always persist beyond adolescence. I believe that these issues of gender are sensitive issues that should be left to families to discuss and resolve, not to schools. These beliefs stem in part from my Christian faith.

7. I have raised my children to believe that “people are either male or female,” and that someone cannot change from one to the other simply because they feel that way. I have taught my children to be respectful to others but also to tell the truth and always stand up for their beliefs, even when those beliefs are unpopular.

8. My children believe that sex is binary and that someone's internal perceptions about themselves cannot change biology. They do not want to be forced to “affirm” that a biologically female classmate is actually a male—or vice versa—or that a classmate is “nonbinary” and neither male nor female. Doing so would contradict the deeply held beliefs of our family, including my beliefs that I have imparted to my children and their own beliefs.

9. Both of my children know and routinely interact with students that identify as transgender or nonbinary at school.

10. When issues involving gender identity arise in class or in school-sponsored activities, my children want to repeatedly speak about these topics and state their belief that biological sex is immutable. They also wish to use pronouns that are consistent with a classmate's biological sex and do not want to be forced to use “preferred pronouns” that imply that biological sex is irrelevant and that a person's gender is malleable. In addition to expressing

the religious basis for their belief that sex is immutable, they also wish to discuss the scientific and biological evidence supporting their beliefs about sex and gender.

11. My children wish to use the pronouns that are consistent with their classmates' biological sex repeatedly and at all times, including inside and outside of the classroom, in the classmates' presence, and when referring to the classmates outside of their presence. My children understand that their speech will be considered "insulting," "humiliating," "dehumanizing," "derogatory," and "unwanted" to those who want to go by different pronouns. But my children have no ill will against these students. My children just want to express their deeply held views.

12. My children also want to communicate with others about gender identity and other controversial topics through their personal phones, computers, and on social media, including sending materials about these topics. They want to discuss these topics with other students and the Olentangy community through those devices and social media, and they want to do so on and off campus, including during off-campus activities with no connection to any school-related activity.

13. My children censor themselves, however, because they fear that expressing their belief that sex is immutable—by using biologically-accurate pronouns or otherwise explaining her views—will cause them to violate District policies.

14. For example, my children refrain from using pronouns that correlate with classmates' biological sex and avoid any conversation involving sex and gender, because they are aware of the District's policies. They often remain silent in school environments altogether.

When they are called upon in class, they feel like they must tell their teachers what they want to hear and phrase their responses as narrowly as possible.

15. My children's fear of speaking openly is informed by years of personal experience with the District and its officials.

16. For example, one of my children was given a survey by a teacher asking for "preferred pronouns" and whether my child would like to use a different name than the one given at birth. This child has also been given surveys that discuss gender identity.

17. One of my children has seen preferred-pronoun bracelets being sold and worn by many students. This child has also seen numerous advertisements for the bracelets, including advertisements that suggest that anyone who does not purchase a bracelet is not an "ally" but rather an "enemy" of transgender and nonbinary students.

18. I am also aware that, according to the District, "[a] student purposefully referring to another student by using gendered language they know is contrary to the other student's identity would be an example of discrimination under Board Policy."

19. Moreover, because of the repeated and consistent injection of gender identity into Advanced Placement ("AP") classes at Olentangy compared to non-AP classes, I began enrolling my children into non-AP classes in an attempt to minimize their exposure to gender identity in class and reduce their chances of being disciplined for expressing their beliefs about this issue.

20. I want my children to be educated in an environment that involves the free exchange of ideas and to be free to express their beliefs, even if others disagree with them or

find them offensive. I do not want my children to be forced to affirm beliefs about gender identity that are inconsistent with their deeply held beliefs.

21. Under the District's school policies, however, my children can be punished merely for expressing an opinion about the nature of biological sex (whether based on science or religion), declining to use another student's "preferred pronouns," disagreeing with another student's assertion about whether they are male or female, stating that a biological male who identifies as female should not be allowed to compete in women's sports, or for expressing discomfort about sharing bathrooms with teachers or students of the opposite biological sex. My children wish to express all these opinions, but the District's policies deter them from doing so in class, in school-sponsored activities, and off campus.

22. I am concerned that my children will be subjected to formal discipline unless they affirm ideas that are inconsistent with their deeply held beliefs. Such discipline for speech consistent with their own deeply held convictions is detrimental to their current school experience, and I fear it will also harm their college admission chances and their extracurricular opportunities.

23. I also worry that being disciplined for stating their fundamental beliefs will inflict mental and psychological harm on my child by forcing them to "choose" between expressing the beliefs they have been taught at home and following the instructions of teachers and other Olentangy authority figures. This is no way to live in a free society.

24. And I know that the process of repeatedly being subjected to discipline for stating their beliefs will expose my children to reputational harm and personal attacks from other students and members of the Olentangy community.

25. My children have repeatedly told me that they want to go to school in an environment that allow them to express their views.

26. My constant anxiety that my children will be subjected to this harm has, in turn, caused me emotional and psychological harm. For example, it has caused me to question whether to instruct my children to follow their conscience or to remain silent and affirm viewpoints contrary to their conscience in order to preserve their opportunities for college, among other things. It has also caused me to question whether I am subjecting my children to these harms from the District's policies by not withdrawing them from Olentangy, even though our family cannot afford the financial strain that would impose.

27. I am signing this declaration under a pseudonym because I live in Olentangy and, if my participation in this litigation becomes public, I fear reprisal from school officials, my children's teachers and fellow students, and members of the broader community. I also want to protect the identity and privacy of my children concerning these deeply sensitive issues.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 28 day of April, 2023

Parent D
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